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The sludge report

The water's dirty, the dirt is toxic. Can the old BMI site ever be clean enough for homes?

There's a dirty little secret in Southern Nevada. Only it's not little and it's not that secret.

Don't drink the water. Don't eat the dirt. (You know who you are.) Hell, don't even breathe.

And if you live anywhere near the oldest part of Henderson, or maybe Lake Las Vegas, or have ever gone to the Henderson Bird Viewing Preserve, you've been right on top of one of the dirtiest, most contaminated groundwater sites in the West. If you live anywhere along Lake Mead Parkway, Boulder Highway, Pabco Road or downtown Henderson, forget about it. You're neighbors with the old BMI plant, which is home to some of the most contaminated soil and groundwater anywhere.

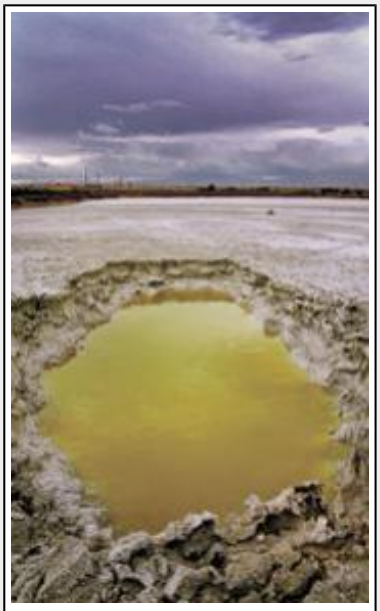
And you thought the worst thing about living in Southern Nevada was the possibility of a national nuclear waste dump in your backyard?

As for all the rest of you, don't be too quick to fix that smug smirk on your face. All this contamination, particularly the groundwater, affects all of us. It's in the Las Vegas Wash. That means it's in Lake Mead, *our drinking water supply*, in case you forgot. And it's traveled down the Colorado River to the agricultural heart of California's Imperial Valley.

Guess what? Chances are you're eating it and drinking it every day.

And Ground Zero is Henderson's BMI property, where since the early days of World War II industrial development has left almost 500 chemicals (including mercury, arsenic, perchlorate, lead and uranium) lacing the dirt and percolating into the groundwater. Chemical ponds are still visible to this day.

And now, the plant's owners and Centex Homes want to build one of the largest master-planned communities in the Las Vegas Valley on 2,200 contaminated acres. Of course, they say they'll clean it up first. But



A TIMET wastewater pond, which is on the 2,200-acre piece east of Boulder Highway. It's on the same site as the proposed Centex Homes residential project.

A March 23, 1944 photo of the plant in operation.

it may be a much bigger job than anybody knows.

Known by most simply as Basic or BMI, in fact, there is nothing basic about the plant that started it all.

The story starts with World War II. The Nazis were kicking our ass with their lightweight aircraft and bombs, composed mainly of the newfangled alloy metal, magnesium. The Allies were rushing to play catch-up to German engineers in order to get some lightweight stuff of our own up in the air to even the odds.

The English had a recipe and a factory, but it wasn't producing enough metal and the country was under attack. So in 1940 a deal was forged between the enterprising Howard Eells, president of Basic Refractories Inc., British company Magnesium Electron Ltd. and the U.S. government, by way of the military. The plan: A replica of the British factory would be constructed, in a joint project between the private industry and the War Department, on a vast, vacant, relatively cheap swath of Las Vegas Valley desert, linked by rail to one of the world's largest deposits of magnesite ore about 335 miles away, in Gabbs, Nev.

The project was immense, encompassing almost 5,000 acres of desert about 25 miles away from the borders of the still-small Las Vegas and another 10 miles in the other direction to Boulder City.

The original site was shaped like a couple of jigsaw puzzle pieces with two bulky halves sitting on either side of Boulder Highway north of modern-day Lake Mead Parkway. On the west side of Boulder Highway, the site was roughly square, bordered on the northern edge by what is now Warm Springs Road and on the western edge by today's Gibson Road, with a few slivers jutting a mile or so further west along the 215 Beltway. On the east side of Boulder Highway -- on land that is still mostly undeveloped -- was an almost triangular 2,200-acre piece bordered on the west by what is now Pabco Road with a small hook-like piece that curves north to the Las Vegas Wash.

Water and power had to be brought in from the recently completed Hoover Dam, just six years old when construction started on "Plancor 201," the Defense Plant Corporation name for the Basic Magnesium Inc. (BMI) plant, a company formed between Eells and the British.

Because of the plant, Las Vegas got its first drink of Colorado River water. Huge pipes had to be constructed to carry water over the Rainbow Mountains and across the desert floor to the plant site from Lake Mead. And Las Vegas was able to tap into one of the main water lines near Tropicana Avenue.

"This complex deserves as much credit as anything in the valley in terms of facilitating growth," says Mark Paris, current CEO of BMI.

BMI plant workers during the magnesium ingot casting process, June 11, 1943.

Here's where you could live someday, if they can clean up all the chemical contamination.

A November 2005 aerial photo of the 2,200-acre piece of BMI property whch is not only chemically contaminated, but also slated for residential homes in the future.

BMI just happens to have one of the last, large pieces of undeveloped land in Henderson. If it is ever cleaned up for residential use, it could have some of the best views of the valley.

The new TIMET wastewater treatment plant means the lined ponds east of the Boulder Highway can be retired.

Another water main stretched under what is now Water Street in downtown Henderson. In fact, the early townsite settlement, built by the government to house the plant workers, was the humble beginning of Henderson, which would officially incorporate about nine years after the plant completely ceased operation in November 1944.

Although BMI is almost entirely responsible for the creation of Henderson, gubernatorial candidate and current Henderson Mayor Jim Gibson did not return calls for comment. Gibson did, however, single the plant out for mention in his gubernatorial kickoff speech Oct. 20.

A blank government check

Unfortunately, the plant was plagued by problems and glitches from the start -- some of which are why the site needs to be cleaned up today. There was such a rush that construction workers would stand behind the engineers and architects as they drew out the plans for the plant and run outside and start hammering on sections before the ink on drawings even had time to dry. But those engineers made mistakes, mistakes that are costing millions to clean up now.

One of the first major disasters of the project involved the wastewater treatment process. There were basically four, unlined ponds north of the plant (just south and west of the intersection of Warm Springs Road and Boulder Highway today).

"It's actually interesting to me that they bothered making the ponds at all because they didn't have to," says Brian Rakvica, the supervising engineer assigned to the BMI case at the Nevada Division of Environmental Protection. "They could have just dug a ditch and let the water drain right into the [Las Vegas] wash."

Unfortunately, according to the BMI report, those ponds and a small water "neutralization plant" could only handle about a tenth of the wastewater coming from the site.

Once the plant started up, engineers had to scramble to create a series of more unlined ponds on the other side of Boulder Highway on that 2,200-acre semi-triangular piece, where multicolored ponds still exist today. This is the same spot where Centex may be building neighborhoods.

The fact that the ponds were unlined is key; without a liner, only dirt was separating some fairly toxic water -- laced with perchlorate, mercury and lead -- from the groundwater below and flowing straight into the Las Vegas Wash. And the wash empties right into Lake Mead, which leads to the Colorado River.

According to an October 2004 "Closure Plan" draft report by BMI submitted to the Nevada Division of Environmental Protection, an Army Air Corps officer, Lt. Col. P. Scheeburger, sent an order in September 1941 for engineers to bypass the normal planning and construction procedures in order to expedite the plant.

It was like giving the project a blank check signed by the U.S. government. There was nothing to stop spending and no documents to keep the project on track. In fact, according to the BMI report, the site was investigated early on by Army Air Corps project planners for "irregularities" including a "lack of organization and responsibility, misuse of company equipment, extravagant use of government funds, unqualified people hired to fill key positions at high salaries, and abuse of overtime payment."

If it sounds like incompetence, cronyism and flagrant abuse of taxpayer money, it was.

Less than a year into the project, and five months after the bombing of Pearl Harbor, everything came to a head when a government auditor discovered the project was $20 million over budget and an emergency meeting was called. It was then that governing agencies discovered that Basic Magnesium Inc. was a "dummy corporation" and was "suddenly bankrupt" and didn't have the money to make payroll that month.

That was the end of the government's blank check.

By then, America had officially entered the war and everyone associated with the plant had to work toward a wartime goal. People were fired. The government ousted Eells and his BMI (although the plant's name remained the same), and begged the more established Anaconda Copper Mining Company to take over, which eventually penciled out just a few weeks after the first magnesium ingots began rolling out of the plant on August 31, 1942.

Finally, the company was up and running.

Ironically, after all those start-up problems, the $130 million plant ran at higher capacities than anyone had anticipated. In mid-1943 it was at 110 percent of capacity. By spring of 1944 the War Department had enough magnesium ingots in reserve that they started closing down production in phases. The plant ran for a total of 807 consecutive days, producing 166.3 million pounds of alloyed magnesium ingots, billets and slabs.

Today they probably would be called "freedom ingots."

'Who knows what's in there'?

By the time the military shuttered the BMI plant in 1944, most plant workers were too busy worrying about finding jobs or losing their townsite homes to worry about what all those chemicals in the plant had just done to the environment.

Even as the land passed from one agency to another like a hot potato for five years, eventually landing in the hands of the Colorado River Commission in June 1949, new industrial companies were eyeing the property. In fact, the Colorado River Commission specifically sought out the property to ensure industrial factories continued to use it, rather than it lie dormant and vacant.

By then there were a variety of asbestos, chlorines, sulfates, hexachlorobenzene (a cancer-causing chemical) on the site -- mostly in those unlined ponds and in on-site landfills.

"At the time that various actions were done, it was considered accepted practice," BMI environmental engineer Ranajit "Ron" Sahu says.

In fact, throughout the BMI closure report (yet to be ratified by the Nevada Division of Environmental Protection), which is an outline of how the company plans to clean up thousands of acres of still-contaminated-land, many of the companies that have used the site kept little to no records on their operations or what, if any, environmental impact they had. At least 10 times in the closure report phrases such as "details regarding its operations are unknown" next to names such as Chemtec, Gelatines Inc. and Paraffine Companies Inc. Even more scary are lines such as "types and volume of wastes are unknown," next to Pioche Manganese Co. and others like it.

"Basically, who knows what's in there," says Rakvica.

While studies during the past 14 years have yielded a lot of information about the soil and water content on and under the site, there are still gaps of information. "A lot is known about the site now that wasn't known five years ago," says Sahu. While records show chemicals were handled on the BMI site, exactly what chemicals and where they were stored is still, in some cases, a mystery.

What is known isn't all that pleasant either. For instance, the Bureau of Reclamation's transformers on part of the site in the 1950s leaked PCB's -- or polychlorinated biphenyls, now known as a carcinogen and a substance banned from production by Congress in 1976.

By 1950 several of the major players, many of whom still use sections of the original plant site today, had found a home on the land bordered by Lake Mead Parkway, Boulder Highway, Warm Springs and U.S. 95.

Names change, chemicals stay the same

The first of the major companies was Western Electro Chemical Co., known as WECCO, which later became American Potash, then Kerr-McGee and last month was re-branded Tronox. There was also Stauffer Chemical Co. of Nevada which later had a relationship with Pioneer Chlor-Alkali. And don't forget TIMET, which started out as National Lead Co. and then became Titanium Metals Corp. Last but not least, Basic Management Inc. was formed to manage the remaining "common areas," or undeveloped acreage, of the original BMI site.

Let's start with Tronox (better known as Kerr-McGee), the company that's primarily responsible for all that perchlorate in the Colorado River. (It's a misconception that it all came from American Pacific Co.'s PEPCON rocket fuel plant explosion in 1988).

"Everybody thinks everything is BMI. A lot of people think the [American Pacific] thing was BMI, which it wasn't," Paris says. Nevada environmental engineers, in fact, think PEPCON's perchlorate hasn't even reached the Las Vegas Wash yet. It was actually Tronox nee Kerr-McGee. (And for the record, that means the perchlorate *did* come from the BMI site after all.)

From 1951 to 1962 WECCO (which begat Kerr-McGee, which begat Tronox) was hired by the U.S. Navy to make perchlorate for jet rocket propulsion packs used to assist airplanes during take-off. And back in the day, nobody cared about lining those wastewater ponds. In fact, all of the companies using the old BMI site were still allowed to use the unlined, dirt drainage ditches that carried mostly untreated water straight to the wash.

Today there's one of the largest perchlorate plumes in America stretching north toward the Las Vegas Wash from right underneath Tronox.

"Waste disposal practices weren't what they could have been," says Pat Corbett, Tronox vice president of safety and environmental affairs, and a former Kerr-McGee plant manager.

But 1962 was a long time ago and the EPA was born in December 1970. But it wasn't until 1975 that the EPA required "zero discharge" from factories, meaning they couldn't just let their water sit around and seep into the soil (and then the groundwater). The EPA required that the water had to be treated (but not as much as today). But Tronox wasn't asked to clean up that gigantic perchlorate plume until the mid-1990s, when the Metropolitan Water District of Southern California traced their perchlorate problem back to Lake Mead, up the wash and to the Tronox land. (Perchlorate is still somewhat mysterious to scientists, but so far they do know that it interferes with thyroid function, which can lead to many potential problems in children, pregnant women and adults.)

In the fall of 1999 perchlorate was at its highest levels in the Las Vegas Wash at more than 1,000 parts per billion. As of April 2005 those levels have dropped to between 100 and 200 parts per billion.

The EPA is still reviewing what a safe dose is for humans, but currently they advise that adults eat or drink less than 18 parts per billion per day. The Nevada environmental protection agency steps in when the perchlorate level in a water sample reaches 18 parts per billion or higher.

Starting in 1999 Tronox began pumping the tainted groundwater out of the ground at three points, treating it in an on-site facility and then releasing it back into the wash. But it will be a long time before all that tainted water, and the soils along the wash, are repaired.

"I think it's going to be very hard to clean up the perchlorate along the sediment at the wash," says Jaci Batista, an associate professor of civil and environmental engineering at UNLV, who has been studying the perchlorate levels of the wash for years.

"My forecast is that for many, many, many more years we're going to see perchlorate in the water. When we examine those sediments, they have huge amounts of perchlorate but it has spread all over the wash," Batista says. "Every time it rains the perchlorate levels go up."

And all the bulldozing and habitat rebuilding at the wash hasn't helped matters. In fact, it's helped to further spread the contaminated soil. And by the way, Tronox isn't on the hook for the contaminated soil, just the groundwater.

But even before Tronox got called on the carpet for its perchlorate plume, it was already scrambling to repair the damage from the hexavalent chromium, or chromium 6, they dumped in the groundwater. (The toxic metal was the cause of the pollution unearthed in a California town by the real-life Erin Brockovich, featured in the movie that carries her name). According to the Agency for Toxic Substances and Disease Registry, chromium 6 can cause internal organ and skin ulcers, convulsions, kidney and liver damage and death.

Tronox has been treating the groundwater under their plant since 1986 at another on-site treatment plant. The company is still in the chemical business today. It's the world's third-largest producer of titanium dioxide. It also produces manganese dioxide, used by most of the biggest battery producers in C, D and AAA-size batteries. Tronox also produces boron trichloride, something that makes golf clubs and tennis rackets strong and is used in many pharmaceutical processing plants. Finally, they make elemental boron, which is a key ingredient in triggering the inflation of air bags.

Chemical sprinklers

Up next is TIMET, one of the oldest companies on the original BMI site. While representatives from TIMET did return phone calls, they did not agree to an interview by press time.

TIMET produces titanium products, including ingots, titanium tetrachloride, titanium sponge and "neutralized leach liquor," or magnesium chloride, which is used to control dust on roads. Like the rest of the companies that moved onto the original BMI site in the 1950s, TIMET used the old (totally unlined) BMI drainage ditches to move their wastewater across Boulder Highway to the evaporation ponds, and then on to the wash.

It was around this time in the 1950s that the City of Henderson's wastewater treatment plant began pumping its dirty water into a row of those ponds as well. While the waters from TIMET, Kerr-McGee, Pioneer/Stauffer and BMI didn't produce any kind of noticeable smell, at least according to BMI's Sahu, the wastewater treatment plant sure did. No doubt this is when Henderson began getting bad-natured nicknames -- Hooterville and Hendertucky -- about its blue-collar status and bad smell.

Just like Kerr-McGee/Tronox, TIMET had to deal with its contaminated wastewater when the zero discharge law was passed in 1975. That's when they installed the series of lined ponds you can still see off Pabco Road today. The lining prevents chemicals from seeping into the groundwater. (Pabco Road is approximately where one of the main unlined waste water ditches ran from the magnesium plant to the wash.)

But somehow TIMET's limited use of a "spray wheel," a sort of giant sprinkler used instead of the ponds in order to speed up the evaporation process, did not violate the zero discharge law, even though it meant countless gallons of questionable water were sprayed into the air and on the soil. On

aerial shots of the land, you can still see the huge, crop-circle-style ring left on the soil from all the salts and other chemicals in the water it was shooting out. That practice was stopped in 1991.

"It does create a bit of a headache but we are dealing with it," says Sahu.

In 1982, the state environmental agency began requesting groundwater information from TIMET and eight years later the company was found in violation of water standards. Again in 1997 the state agency fined TIMET for water pollution violations.

Likewise, Pioneer Chlor-Alkali Co. and Stauffer Chemical Co., which had a corporate relationship for a time and used the same ditches and ponds for their asbestos-laden wastewater, have EPA groundwater violations dating to 1979, some of the earliest on the site. According to the state environmental agency, Pioneer/Stauffer disposed of solid waste in the BMI on-site landfill including asbestos shavings, "asbestos sludge," "chlorine liquefaction sludge," and carbon tetrachloride and other dioxin-producing stuff.

According to the EPA, dioxins are a group of compounds closely related to chlorinated dibenzofurans (CDFs) and PCBs and are often formed by the burning of garbage that contains these chemical compounds. The EPA has been working toward reducing dioxin exposure. Adverse effects include skin lesions, excessive body hair, liver damage and cancer.

Incidentally, Pioneer also did business as Montrose which sent empty DDT bags and other waste to the BMI landfill as well as putting sulfuric acid and chloride wastes in the unlined wastewater ponds.

Meanwhile, the city of Henderson stayed away from annexing any part of the Clark County land, to avoid over-extending its emergency services. The city only plans to annex the land from Clark County once it's cleaned up.

For nearly all of the companies that have used the BMI site as their home base and have dumped their toxic waste in our backyard, BMI has sort of saved its ass.

Around the time that the EPA was handing out environmental violations to nearly every factory on the site, BMI -- the silent but ever-present company in charge of all those undeveloped "common areas" -- began taking a real interest in making money off unused land holdings. This includes the 2,200-acre site east of Boulder Highway where the majority of the wastewater ponds are found, nearly all of which are unlined.

Starting in 1991, BMI started working on an agreement with the former and current manufacturing companies on the site to clean up the vacant common areas. By 1999, the state environmental agency had signed off on the agreement, in which BMI has taken over responsibility for the cleanup from former tenants in order to speed up the process and realize profits sooner. Unless the contamination can be traced to a specific factory site, BMI is handling the cleanup.

That would make BMI a magnet of environmentalist outrage, if there was any. A spokeswoman for Citizen Alert says her group has its hands full fighting the proposed nuclear waste dump at Yucca Mountain. Meanwhile, a member of the local Sierra Club says their group has listed perchlorate in drinking water as one of a list of issues they'd like to tackle.

In 1999 Basic Management Inc. formed a subsidiary company called Basic Remediation Company, in order to handle all of the cleanup in store for whomever wants to build on any of those common areas. This is one of five BMI subsidiaries including Landwell, which takes care of land development deals, Basic Power and Basic Water companies and Basic Environmental Company. While one division handles cleanup, another is out signing deals to sell the formerly contaminated land, some of which has already been developed. (The Valley Automall, Ocean Spray juice plant and homes along Kelso Dunes Avenue between Stephanie Street and Gibson Road are all built on former BMI land, although most areas were lightly used, if at all.)

This is the land BMI officials like to talk about when the subject of cleaning up all the contaminated areas comes up. If they've already successfully developed some parts of the property, it must mean they'll be able to one day get the rest of the land ready for building.

But that remains to be seen.

Homes, schools, parks ... and perchlorate?

The cleanup of the 2,200-acre piece, where Centex Homes wants to build, is one of the most contaminated sites in America, according to BMI. However, an EPA spokeswoman couldn't confirm if that was true.

What we do know is this: There are 486 identified chemicals on all or parts of the site. That means BMI will have to remove soil until it hits clean dirt, and nobody knows how far down that will be on the entire site. In some spots it could mean as much as 10 feet of dirt is removed. In other spots, more. Since many of the factories that drained their wastewater onto the site did so in shared ditches and shared ponds, no one knows which chemicals found their way to which spots.

Sahu, BMI's environmental engineer, is in charge of the project to clean up all that dirt.

So far the EPA has already signed off on about half of the site, which is a section that is essentially virgin desert near Lake Mead Parkway. Since it was never used, BMI doesn't have to worry about testing it any further. But there are about 800 acres pouring north toward the Las Vegas Wash that are still very contaminated.

"We don't find everything everywhere, but we can't rule anything out," Sahu says.

So would Sahu live in one of the houses after BMI gets finished scooping up all of the contaminated dirt, trucking it across Boulder Highway and burying it in a specially engineered dump on the BMI site off Warm Springs Road? Without hesitation he answers, yes.

"I get asked that all the time," he says with a smile.

And even though BMI CEO Paris, who also worked on the Fremont Street Experience, is good at making the bad parts of the site seem not so bad, Sahu is a bit more serious and personally attached. After all, if houses and schools and parks are built on the site and someone gets sick or dies because something wasn't cleaned up all the way, it's Sahu who ultimately signed off on it.

But there is money on the line. Paris declined to give a value on the 2,200-acre piece, but land appraisers in the Clark County Assessor's office estimated -- if the land were completely clean today and ready for building -- the current value is between $250,000 and $350,000 an acre, or about $770 million before building even starts. Considering the land is a virtual island of undeveloped acreage, smack in the middle of Henderson's and the valley's enormous growth boom, it won't be a hard sale, if the site gets clean, says Jeremy Aguero of Applied Analysts.

So far BMI has spent about $50 million analyzing and cleaning up that parcel and stands to spend at least another $30 million more. And that doesn't count a $16.5 million wastewater treatment plant BMI built for TIMET, in exchange for unfettered access to the land where TIMET's ponds are located. (TIMET only stopped sending water to the lined ponds May 12. Of this year.)

But even after spending nearly $100 million on site cleanup, unless the market takes an extreme nose-dive, BMI's Landwell Co. stands to make a considerable profit on the project, something Paris doesn't like to mention in his pitch about the humanitarian and altruistic nature of the company's efforts. He's fond of repeating the company is cleaning up the site "voluntarily," but all that means is that the EPA hasn't had to sue the company or take other legal action to force a cleanup.

And both Paris and Sahu like to point out that after homes are built on the site, BMI is going to voluntarily and on its own dime, go back and test each lot, again.

"At the end of the day we may make a profit, but at the end of the day the site needs to be cleaned up," Paris says.

Company press materials refer liberally to the "salts" that will be removed from the site. It's not surprising that they don't want to mention the arsenic, perchlorate, mercury, dioxin, chromium and other nasty chemicals also found throughout the area. Paris demurs on the issue.

"I'm just a real estate developer," he says. "I can't comment on the scientific aspects of the site."

And it is going to come down to the science, as much as the profit margin, on this site, and others. But if a similar piece of BMI land across the way is any indication, it might not be as simple as Paris hopes.

Corporate giant Wal-Mart just backed out of a deal on a 73-acre piece of land at the corner of Lake Mead Parkway and Water Street, owned by TIMET. Henderson city planners, with visions of further downtown redevelopment in their heads, had already annexed the piece in anticipation of the deal. Considering Wal-Mart's reported track record each year with EPA violations of the Clean Air and Clean Water acts at some of its construction sites across the country, it seems a bad sign when the company walks away from a site because it's too toxic.

Of course, the TIMET piece is not part of BMI's clean-up effort and not connected to the 2,200-acre Centex piece. But cold feet of any kind can send chills down buyers' spines.

What happens next will determine if the BMI clean-up results in the next thriving suburban valley neighborhood or the next Love Canal.

And so far, the scientists running the show aren't willing to make crystal ball-style predictions.

Rakvica, of the state EPA, won't make a guess at how long it could take to clean up the site. It depends on how quickly studies are approved and clean-up procedures carried out, he says. It also depends on whether or not BMI does a good job. But, he offers, it is possible to clean a site this contaminated, in time.

UNLV's Batista is less optimistic.

"This [perchlorate] will be around a long, long time after I'm gone, after you're gone," she says.

But then she adds this silver lining of sorts, "Perchlorate is only harmful if you eat it or drink it in the water. So unless the kids are going to be eating the dirt, which sometimes they do, they will be fine."

But perchlorate is just one of hundreds of chemicals on, and under, the site.

Can you really scoop up all the contaminated soil and simply store it in canisters across the road and call that clean? Or will it come back to haunt the future residents, like the spirits of a chemical graveyard?

Meanwhile, Sahu, says he feels uncomfortable guessing about the future as well.

"I don't know how long it will take," he says. "I've not been pressured to go any faster. It's going as fast as it can. You wouldn't want to rush it. Cleaning this up -- it's the prudent thing to do.

"We're not trying to be saints here. But we're trying to do it to the best of our abilities," Sahu says.

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